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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION  
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|                              |   |   |
|------------------------------|---|---|
| 14 UNITED STATES OF AMERICA, | ) | CASE NO. CR 13 – MJ – 70065 MAG           |
| 15 Plaintiff,                | ) | STIPULATION AND <del>PROPOSED</del> ORDER |
| 16 v.                        | ) |   |
| 17 WALTER SKINNER,           | ) |   |
| 18 Defendant.                | ) |   |
| 19                           | ) |   |
| 20                           | ) |   |

21 Defendant Walter Skinner and the United States hereby stipulate and mutually agree that the  
22 status hearing as to the defendant's evaluation for possible diversion, currently scheduled for Friday,  
23 December 12, 2014, at 1:30 p.m., should be continued to Tuesday, January 13, 2015, at 1:30 p.m., to  
24 permit the parties to exchange further information relative to the consideration of the defendant's  
25 potential diversion, relative to the prior report from Pretrial Services, specifically the precise calculation  
26 of the amount of restitution, the accompanying repayment schedule, and the amount of defendant's  
27 initial payment at the time of the execution of the diversion agreement under consideration.

28 Accordingly, the parties further stipulate that the time from December 12, 2014, through and

1 including January 13, 2015, may be excluded from the computation of time within which an information  
2 or indictment shall be filed under the Speedy Trial Act, in order to ensure the reasonable time necessary  
3 for effective preparation, pursuant to Title 18, United States Code Section 3161(b), (h)(7)(A),  
4 (h)(7)(B)(iv), as well as a mutual stipulation to waive time for an indictment or preliminary hearing,  
5 pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure, up to and including January 13, 2015,  
6 based on the need for effective preparation of counsel as well as the defendant's evaluation for diversion  
7 and the terms thereto.

8 **IT IS SO STIPULATED.**

9 Dated: December 12, 2014

10 /s/  
11 TIMOTHY LUCEY  
Assistant United States Attorney

12  
13 Dated: December 12, 2014

14 /s/  
CYNTHIA C. LIE  
Assistant Federal Public Defender

15  
16 **IT IS SO ORDERED.**

17  
18 DATED: 12/12/14

19   
20 HON. HOWARD R. LLOYD  
21 United States Magistrate Judge  
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23  
24  
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26  
27  
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